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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

FREDERICK MARTINEZ,

Petitioner,

v.

STATE OF NEVADA,

Respondent.

Case No. 2:17-cv-00501-RFB-CWH

ORDER

Petitioner has submitted a *pro se* petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254 (ECF No. 1-1). Petitioner has submitted a financial certificate, but he has not submitted an application to proceed *in forma pauperis* or provided the required inmate account statements. He must provide these documents for this action to be continued. 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2.

Thus, the present action will be stayed until the petitioner forwards the \$5.00 filing fee or completes an application to proceed *in forma pauperis* on the proper form with both an inmate account statement for the past six months and a properly executed financial certificate.

IT IS THEREFORE ORDERED that petitioner has 45 days to pay the \$5 filing fee or submit a proper application to proceed *in forma pauperis*.

IT IS FURTHER ORDERED that if petitioner does not pay the filing fee or submit an application to proceed *in forma pauperis* within 75 days this action will be dismissed without prejudice.

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IT IS FURTHER ORDERED that the Clerk shall send petitioner a copy of this order and two copies each of an application form to proceed *in forma pauperis* for incarcerated persons and a noncapital Section 2254 habeas petition form, one copy of the instructions for each form, and a copy of the papers that he submitted in this action.

DATED: October 13, 2017.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE